

**WILLMAR CITY COUNCIL PROCEEDINGS**  
**COUNCIL CHAMBERS**  
**WILLMAR MUNICIPAL UTILITIES BUILDING**  
**WILLMAR, MINNESOTA**

March 7, 2016  
7:00 p.m.

The regular meeting of the Willmar City Council was called to order by the Honorable Mayor Pro Tempore Ron Christianson. Members present on a roll call were Mayor Pro Tempore Ron Christianson, Council Members Denis Anderson, Audrey Nelsen, Steve Ahmann, Andrew Plowman, Tim Johnson and Shawn Mueske. Present 7, Absent 2. Mayor Marv Calvin and Council Member Rick Fagerlie were excused from the meeting.

Also present were City Administrator Larry Kruse, City Clerk Kevin Halliday, Police Chief Jim Felt, Fire Chief Frank Hanson, Public Works Director Sean Christensen and City Attorney Robert Scott.

Council Member Ahmann requested an item be added to the agenda under miscellaneous.

Council Member Anderson offered a motion to adopt the Consent Agenda which included the following items: City Council Minutes of February 15, Labor/City Council Minutes of February 24, Willmar Municipal Utilities Board Minutes of February 22, Rice Hospital Board Minutes of February 17, Planning Commission Minutes of February 17, Application for Exempt Permit – Kandiyohi Friends of Firearms, Accounts Payable Report through March 2, Willmar Lakes Area CVB Minutes of January 19, Building Inspection Report for February, 2016, and CER Joint Powers Board Minutes of February 26, 2016. Council Member Mueske seconded the motion which carried.

Mayor Pro Tempore Christianson recognized the retirement of Richard “Dick” Doll, Public Works Operator of over 30 years. Mr. Doll spoke and thanked the Mayor and Council for the opportunity to work for the City and for recognizing him with a gift of appreciation. Mr. Doll spoke of the changes over the years, one being the merging of the Streets and Parks and its benefits to the community. He also commented on a concern for the placement of garbage containers in the streets by City residents and the effect it has on snow plowing and equipment.

At 7:10 p.m. Mayor Pro Tempore Christianson opened the hearing for consideration of the proposed 2016 Street and Other Improvements. Public Works Director Sean Christensen gave a brief overview of the 2016 Improvements to include: reconstruction (.7 mile) - overlay (2.75 miles) and miscellaneous projects which include some parking lot repair, crack seal and seal coat for a total estimated cost of \$2.94 million. He overviewed the funding sources and schedule for payment of assessments.

Mary Quale, 1409 SW 8<sup>th</sup> Street, came forward to address the Council during the hearing explaining that their lot goes all the way through to 7 ½ Street SW and she was inquiring as to the possibility of service lines being made available at the back of the lot in case a home would ever be built. Staff will address her questions and would highly recommend the service lines be put in at the time of construction.

Paul Tinklenberg, 2105 SE 4<sup>th</sup> Avenue, voiced his concern that more street work to be done and brought forth a question of it determined where fabric should be installed.

Mayor Pro Tempore Christianson presented correspondence submitted by Ms. Kathryn Petrick, who was unable to be present at the hearing. Ms. Petrick lives at 813 Lakeland Driver NE. Each of Ms. Petrick’s questions were presented to staff and answered in the ordered presented. Ms. Petrick stated she would be watching the live video feed to acquire her answers.

There being no further requests to speak at the Improvement Hearing, Mayor Pro Tempore Christianson closed the hearing at 7:42 p.m. and opened it up for discussion by the Council.

Resolution No. 1 was introduced by Council Member Anderson, seconded by Council Member Plowman, reviewed by Mayor Pro Tempore Christianson, and approved on a roll call vote of Ayes 7, Noes 0.

RESOLUTION NO. 1

ORDERING 2016 STREET AND OTHER IMPROVEMENTS  
(AND DIRECTING PREPARATION OF FINAL PLANS AND SPECIFICATIONS)

WHEREAS, after due Notice of Public Hearing on the construction of street and other improvements for the City of Willmar, Minnesota, hearing on said improvements was duly held and the Council heard all persons desiring to be heard on the matter and fully considered the same.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Willmar, Minnesota, as follows:

1. It is advisable, expedient, and necessary that said improvements as described in the Notice of Hearing thereon be constructed and the same are hereby ordered made.
2. The improvements described in said Notice of Hearing are hereby designated and shall be known as 2016 Street and Other Improvements.
3. The City's Engineer is hereby directed to prepare final plans and specifications for said improvements.
4. The City Council shall let the contract for all or part of the work for said improvements or order all or part of the work done by day labor or otherwise as authorized by Minnesota Statutes, Section 429.041, Subdivision 2, within one year of the date of this resolution ordering said improvements.

Dated this 7th day of March, 2016.

/s/ Ron Christianson  
Mayor Pro Tempore

/s/ Kevin Halliday  
Attest: City Clerk

Following approval of the 2016 Improvements, it was staff's recommendation to the Council to expedite the timeline for construction by approving the plans and specifications and authorizing the advertisement for bids to be opened April, 5 2016.

Resolution No. 2 was introduced by Council Member Anderson, seconded by Council Member Ahmann, reviewed by Mayor Pro Tempore Christianson, and approved on a roll call vote of Ayes 7, Noes 0.

RESOLUTION NO. 2

WHEREAS the City Engineer of the City of Willmar has presented to the City Council plans and specifications for Project Nos. 1601, 1602, 1603-A, 1603-B, and 1604 for the City of Willmar;

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Willmar that:

Final plans and specifications are hereby approved, and publication of the advertisement for bids is herewith authorized. Multiple bid packages will be publicly opened and read with the first opening scheduled

for 1:00 p.m. on the 5th day of April, 2016, at the City Office Building, 333 Southwest Sixth Street, Willmar, Minnesota.

Dated this 7th day of March, 2016.

/s/ Ron Christianson  
Mayor Pro Tempore

/s/ Kevin Halliday  
Attest: City Clerk

It was noted no one signed up to speak during the Open Forum.

The Finance Committee Report for February 22, 2016 was presented to the Mayor Pro Tempore and Council by Council Member Anderson. There were ten items for consideration.

Item No. 1 There were no comments from the public.

Item No. 2 Staff requested the reallocation of Capital Improvement Program funding for Thin Clients and use it for the City Council and staff tablets in the amount of \$18,000 and purchase of a Document Management System in the amount of \$41,000. City staff further requested that the \$18,000 for tablets be tabled. IT Coordinator Ross Smeby explained the need for a secure electronic document management system. The system would ensure the protection of documents, help in auditing, contains all City's documents, and aid in record retention.

It was the recommendation of the Committee that the Council introduce a resolution to authorize the Mayor and City Administrator to repurpose \$41,000 from the Information Systems Thin Client Capital Improvement Project to the Document Management System Project.

Resolution No. 3 was introduced by Council Member Anderson, seconded by Council Member Christianson, reviewed by Mayor Pro Tempore Christianson, and approved on a roll call vote of Ayes 7, Noes 0.

### RESOLUTION NO. 3

#### DOCUMENT MANAGEMENT APPROVAL

WHEREAS, the City of Willmar needs to purchase a Document Management System for archiving, preserving, auditing, and for increasing staff workflow efficiency and;

WHEREAS, the City of Willmar has explored multiple systems and has determined that a Laserfische system as the best suited for the City's needs;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Willmar that the Mayor and City Administrator be authorized to repurpose \$41,000 from the Information Systems Thin Client Capital Improvement Project to the Document Management System.

Dated this 7th day of March, 2016.

/s/ Ron Christianson  
Mayor Pro Tempore

/s/ Kevin Halliday  
Attest: City Clerk

Item No. 3 Staff presented to the Committee an agreement with Revize Software Systems to create a new City website with an estimated cost of \$24,700. IT Coordinator Ross Smeby explained the need for a new website with software that will provide a variety of applications for citizens' engagement, staff

productivity, mobile devices, and accessibility features. It was the recommendation of the Committee to the Council to adopt a resolution to authorizing the Mayor and City Administrator to enter into an agreement with Revize LLC in the amount of \$24,700 to create a new city website.

Resolution No. 4 was introduced by Council Member Anderson, seconded by Council Member Christianson, reviewed by Mayor Pro Tempore Christianson, and approved on a roll call vote of Ayes 7, Noes 0.

RESOLUTION NO. 4

WHEREAS, the City of Willmar needs to create a new public website for the City and;

WHEREAS, the City of Willmar has explored multiple vendors and has determined that Revize Software Systems will provide the services, updates and hosting that are best suited for the City's needs;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Willmar that the Mayor and City Administrator are authorized to enter into an agreement with Revize LLC in the amount of \$24,700.00 to create a new city website.

Dated this 7th day of March, 2016.

/s/ Ron Christianson  
Mayor Pro Tempore

/s/ Kevin Halliday  
Attest: City Clerk

Item No. 4 Staff presented to the Committee a donation of \$250 to the Willmar Police Department Law Enforcement Explorer program from Duinick Concrete Company. It is a requirement that the Council accept all donations by resolution. The Committee was recommending the Council introduce a resolution accepting the \$250 donation from Duinick Concrete Company and to direct the City Administrator to send a letter of appreciation.

Resolution No.5 was introduced by Council Member Anderson, seconded by Council Member Mueske, reviewed by Mayor Pro Tempore Christianson, and approved on a roll call vote of Ayes 7, Noes 0.

RESOLUTION NO. 5

WHEREAS, the City of Willmar has received a donation of \$250.00 to the Willmar Police Department designated for the Enforcement Explorer Program;

NOW, THEREFORE, BE IT RESOLVED by the City Council of Willmar, Minnesota, that the City accept the donation from Duinick's Incorporated and the City Administrator is directed to express the community's appreciation.

Dated this 7th day of March, 2016.

/s/ Ron Christianson  
Mayor Pro Tempore

/s/ Kevin Halliday  
Attest: City Clerk

Item No. 5 Staff presented to the Committee a proposed change in protocol for staff to acknowledge all donations by letter and regularly inform the Council for acceptance of these donations by resolution. It was proposed that staff will accumulate all donations to be presented at the end of the year for

formal approval for audit purposes and State compliance. It was the Committee's recommendation to approve the Donation Protocol as amended to be presented quarterly to the Council for formal approval. Council Member Anderson moved the recommendation of the Committee. Council Member Nelsen seconded the motion, which carried.

Item No. 6 Chair Anderson presented to the Committee an agreement for the purchase of LED conversion kits from Etterman Enterprises for \$17,420.13 and installation by Kim's Electric for \$6,840 for the Public Works Garage totaling \$24,260.13. The 2016 Capital Outlay Program has included \$35,000 for LED lighting. The Committee was recommending the Council to approve the agreements for the LED conversion kits.

Resolution No.6 was introduced by Council Member Anderson, seconded by Council Member Nelsen, reviewed by Mayor Pro Tempore Christianson, and approved on a roll call vote of Ayes 7, Noes 0.

RESOLUTION NO. 6

Whereas the City of Willmar desires to enter into agreements with Etterman Enterprises and Kim's Electric for the purchase of LED conversion kits and installation at the Public Works Garage facility in the total amount of \$24,260.13; and

Whereas agreements have been prepared detailing the terms of the services;

Now therefore be it resolved by the City Council of the City of Willmar that said agreements be approved and that the City Administrator be authorized to execute the same.

Dated this 7th day of March, 2016.

/s/ Ron Christianson  
Mayor Pro Tempore

/s/ Kevin Halliday  
Attest: City Clerk

Item No. 7 Chair Anderson presented to the Committee a recommendation to accept and authorize final payment to Vreeman Construction in the amount of \$42,798.46 for Project No. 1404 for the 12<sup>th</sup> Street SE new construction from 11<sup>th</sup> Avenue SE to Willmar Avenue SE. It was the recommendation of the Committee to the Council to approve the final payment of \$42,798.46 to Vreeman Construction

Resolution No.7 was introduced by Council Member Anderson, seconded by Council Member Nelsen, reviewed by Mayor Pro Tempore Christianson, and approved on a roll call vote of Ayes 7, Noes 0.

RESOLUTION NO. 7

**ACCEPTING PROJECT AND AUTHORIZING FINAL PAYMENT**

IMPROVEMENT: Project No. 1404 – 12<sup>th</sup> Street SE New Construction

CONTRACTOR:	Vreeman Construction
DATE OF CONTRACT:	June 16, 2014
BEGIN WORK:	July 30, 2014
COMPLETE WORK:	October 21, 2015
APPROVE, ENGINEERING DEPT:	February 11, 2016

**BE IT RESOLVED** by the City Council of the City of Willmar, Minnesota, that:

1. The said City of Willmar Project No. 1404 be herewith approved and accepted by the City of Willmar.

2. The following summary and final payment be approved:

ORIGINAL CONTRACT AMOUNT:	\$301,140.47
Change Order (None)	0.00
FINAL NET CONTRACT AMOUNT, PROPOSED:	\$294,229.08
ACTUAL FINAL CONTRACT AMOUNT AS CONSTRUCTED:	\$294,229.08
Less Previous Payments & Liquidated Damages	-\$251,430.61
FINAL PAYMENT DUE CONTRACTOR:	\$42,798.46

Dated this 7th day of March, 2016.

/s/ Ron Christianson  
Mayor Pro Tempore

/s/ Kevin Halliday

Item No. 8 Chair Anderson presented to the Committee a recommendation to approve the purchase of five complete sets of NFPA approved firefighting turnout clothing at an estimated cost of \$2,029 each with a total cost estimated at \$10,145. The Committee's recommendation to the Council was to approve the purchase of the NFPA approved firefighting turnout clothing for a total estimated cost of \$10,145. Council Member Anderson moved the recommendation of the Committee. Council Member Nelsen seconded the motion, which carried.

Item No. 9 Chair Anderson presented to the Committee for review the Rice Memorial Hospital Financial Statement, with the Rice Memorial Hospital Board addressing the City Council at a future Council Meeting. This matter was received by the Council for information only.

Item No. 10 Staff presented to the Committee an Arden Hills purchasing policy in legislative print with changes setting levels of authority made from the February 8, 2016, meeting. Council Member Nelsen made a motion to table any action on the proposed policy and asked staff to bring back information to clarify the processes and timing of the Capital Improvement and Vehicle Replacement Policies. Council Member Christianson seconded the motion which carried. The Council received the purchasing policy for information only.

Council Member Anderson made a motion to approve and file the Finance Committee Report for February 22, 2016. Council Member Nelsen seconded the motion.

Council Member Nelsen asked for clarification of the process for the public to use in making donations which was brought up at the Finance Committee meeting. City Administrator Kruse noted her concerns responding the donation protocol will be addressed by staff and availability of donation information will be available on the new City website. Council Member Nelsen requested clarification in writing be brought back to the Finance Committee for review. The motion to file the minutes carried.

City Clerk Kevin Halliday presented an application for a Special Event by On-Sale Liquor License. The Civic Center has rented space to the Willmar Curling club who will hold a three-day Curling Novice Bonspiel on March 11-13, 2016 at which the club plans to serve alcohol. The Baker's Eagle Creek Eatery LLC, dba The Oaks at Eagle Creek has applied for this permit and will provide an on-site employee. It was staff's recommendation to the Council to approve the license. Council Member Anderson moved the recommendation of staff to approve the Special Event by On-Sale Liquor License as presented. Council Member Ahmann seconded the motion, which was approved on a roll call vote of 7 Ayes, 0 Noes.

City Clerk Kevin Halliday brought forth an application for a Premise Permit for New London-Spicer Booster Club at the Ruff's Wings & Sports Bar. This application was before the Council in November of 2015 whereby the Council was inquiring as to if any local groups wanted to work on this premise permit. Staff investigated this whereby many requests to other Willmar organizations by Ruff's Wings & Sports Bar were performed, with the New London-Spicer Booster Club being the only interested group. It is the recommendation of staff to approve the premise permit by resolution which will be submitted with the application to the Gambling Control Board.

Resolution No.8 was introduced by Council Member Anderson, seconded by Council Member Ahmann, reviewed by Mayor Pro Tempore Christianson, and approved on a roll call vote of Ayes 7, Noes 0.

RESOLUTION NO. 8

REQUESTING THAT THE MINNESOTA GAMBLING  
CONTROL BOARD APPROVE THE APPLICATION FOR A  
PREMISE PERMIT FOR THE NEW LONDON-SPICER BOOSTER CLUB

WHEREAS, the New London-Spicer Booster Club has applied to the Minnesota Gambling Control Board to obtain a Premise Permit for a Gambling License at the Ruff's Wings & Sports Bar, 2100 Hwy 12 SE, Suite 2, Willmar, Minnesota;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Willmar that the City approves of the Premise Permit for the New London-Spicer Booster Club and respectfully requests that the State of Minnesota Gambling Control Board approve the Premise Permit to the New London-Spicer Booster Club.

Dated this 7th day of March, 2016.

/s/ Ron Christianson  
Mayor Pro Tempore

/s/ Kevin Halliday

Council Member Ahmann requested staff inquire as to a requirement that any publication that is required by State Statute to be published in the newspaper should also be posted on the newspaper's website, such as Improvement Hearing Notices. City Clerk Halliday stated this will be addressed.

Council Member Nelsen asked to refer back to the Consent Agenda Items stating she believed there were three sets of minutes that have not been approved by their respective board and noted that the Municipal Utilities Minutes are normally stamped "subject to approval of the Municipal Utilities Commission." She asked for consistency of this for all the minutes so that the Council is aware they are subject to change. This was noted by staff.

Council Member Ahmann brought up the issue of audio recordings of all meetings noting the CER Joint Powers Board and the Economic Development Commission are two examples of meetings that are not recorded and made available on the website. Council Member Nelsen questioned knowing just which Boards and Commissions the Council is responsible for. City staff will look into this and report back to.

Announcements for Council Committee meeting dates were as follows: Finance, 4:45 p.m. at City Hall, March 14; Public Works/Safety, 4:45 p.m. at City Hall, March 15; Labor Relations, 4:45 p.m. at City Hall March 23, and Community Development Committee, 4:45 p.m., at City Hall, March 17, 2016.

Council Member Anderson offered a motion to adjourn the meeting with Council Member Ahmann seconding the motion, with carried. The meeting adjourned at 8:10 p.m.

Attest:

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MAYOR PRO TEMPORE

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SECRETARY TO THE COUNCIL